

Amendment No. 1 to SB1003

Kelsey
Signature of Sponsor

AMEND Senate Bill No. 1003

House Bill No. 1033*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 29, Chapter 34, is amended by adding the following as a new part:

(a) A nonresidential substitution-based treatment center for opiate addiction, as defined by § 68-11-1602, shall be liable for damage or injuries caused by a patient who, upon leaving the treatment center after receiving treatment and being visibly impaired, commits driving under the influence under § 55-10-401, vehicular assault under § 39-13-106, aggravated vehicular assault under § 39-13-115, vehicular homicide under § 39-13-213(a)(2), or aggravated vehicular homicide under § 39-13-218, and the patient's impairment is caused solely by the treatment dispensed by the center.

(b) It shall be a defense to liability under subsection (a) that the nonresidential substitution-based treatment center for opiate addiction took reasonable efforts to prevent the patient from driving while impaired. Reasonable efforts include, but are not limited to:

(1) Offering to call a friend, relative, or taxi to transport the patient;

(2) Immediately notifying law enforcement that an employee of the center has either observed the patient leave treatment by driving in a visibly impaired state or heard the patient's stated intent to drive while the patient was in a visibly impaired state; or

(3) Adopting a policy that requires patients to be accompanied by a person who is willing to provide care and transportation for the patient.

Amendment No. 1 to SB1003

Kelsey
Signature of Sponsor

AMEND Senate Bill No. 1003

House Bill No. 1033*

SECTION 2. This act shall take effect July 1, 2017, the public welfare requiring it.